

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35867

STATE OF IDAHO,)	2009 Unpublished Opinion No. 559
)	
Plaintiff-Respondent,)	Filed: August 6, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
HAL RICHARD CULLEY,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Darla S. Williamson, District Judge.

Judgment of conviction and unified sentence of fifteen years, with a minimum period of confinement of three years, for sexual battery of a minor child sixteen or seventeen years of age, affirmed.

Greg S. Silvey, Kuna, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before PERRY, Judge; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Hal Richard Culley pled guilty to sexual battery of a minor child sixteen or seventeen years of age. I.C. § 18-1508A. In exchange for his guilty plea, an additional charge was dismissed and the state agreed not to pursue additional charges. The district court sentenced Culley to a unified term of fifteen years, with a minimum period of confinement of three years. Cully appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Cully's judgment of conviction and sentence are affirmed.